

NONINSTRUCTIONAL OPERATIONS

Records Management

[Note: This policy has been revised in recognition of the new Federal Rules of Civil Procedure related to discovery of evidence maintained in electronic form. Email can be an especially valuable resource of evidence in civil or criminal litigation, because people are often less careful in composing emails than they would be in “hard copy” communications or memos. Email communications sent and received should be preserved with the same care as records/data created and maintained in other formats.]

The District will retain, in a manner consistent with applicable law and the state’s *Rules for Disposition of Local Government Records*, such records as are required by law or regulations to be created and/or maintained, and such other records as are related to students, school personnel, and the operations of the schools.

For the purpose of this policy, “records” are all documentary materials, regardless of media or characteristics, made or received and maintained by the school unit in transaction of its business. Records include email and other digital communications sent and received.

Records may be created, received, and stored in multiple formats, including but not limited to print, microfiche, audio and videotapes, and various digital forms (on hard drives, computer disks and CDs, servers, flash drives, etc.).

The Superintendent will be responsible for developing and implementing a records management program for the cataloging, maintenance, storage, retrieval, and disposition of school records. The Superintendent will be responsible for developing and implementing policies and procedures which place a “litigation hold” on records which may be required for production or discoverable as a result of litigation or anticipated litigation. The Superintendent will also be responsible for developing guidelines to assist school employees in understanding the kinds of information that must be saved and those which can be disposed of or deleted. The Superintendent may delegate records-management responsibilities to other school personnel at his/her discretion to facilitate implementation of this policy.

A fireproof vault will be provided for the permanent retention of records including board minutes, annual audit reports, employment records of all staff and permanent student records.

Cross Reference: 1402 School Board Use of Electronic Mail
 3600, 3600P Student Records
 5231, 5231P Personnel Records
 5450 Employee Electronic Mail

Legal Reference: Montana Secretary of State (Rules for Disposition of Local
 Government Records)
 Federal Rules of Civil Procedure (FRCP)

§ 2-6-403, MCA Duties and responsibilities
§ 20-1-212, MCA Destruction of old records by school officer
§ 20-7-101(2), MCA Standards of accreditation
§ 20-9-215, MCA Destruction of certain financial records
24.9.805 (4), ARM Employment Records

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